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Forty-third session

SUMMARY RECORD OF THE 475th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 6 October 1992, at 3 p.m.

Chairman: Mr. LANUS (Argentina)

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General debate (continued)

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The meeting was called to order at 3.15 p.m.

GENERAL DEBATE (agenda item 4) (A/AC.96/798, A/AC.96/799) (continued)

1. Mr. OLUSOLA (Organization of African Unity) said that, since the Executive Committee's last session, the number of refugees and displaced persons in Africa had increased alarmingly. Africa now held the unenviable record of hosting 6 million refugees and over 12 million displaced persons. The root causes of the problem were conflicts, human rights abuses, natural disasters such as drought, famine and adverse social and economic developments. He hoped that current efforts to eradicate the apartheid system in South Africa would help to restore peace and security and speed up the return of South African exiles.

2. The conditions of refugees in Africa had been steadily deteriorating not only because their numbers had been increasing, but also because the gap between their needs and the resources available to meet them had widened over the years. OAU members States had been tireless in their efforts to provide assistance, but, in the process, their capabilities had been overstretched, resulting in the serious dislocation of their economic and social infrastructures. Fortunately, the international community, and particularly UNHCR, had been willing partners in the effort to provide humanitarian assistance.

3. In northern Africa, the longstanding war between the Polisario movement and the Kingdom of Morocco had resulted in the exodus of more than 169,000 Sahrawis into neighbouring Algeria. It was to be hoped that the United Nations/OAU plan for the holding of a referendum would help solve that problem once and for all. With regard to Ethiopia, war and famine in the Somali Republic had driven out over 367,000 Ethiopian refugees who had been settled in refugee camps in Somalia. The latter had now settled in the Ogaden region of Ethiopia and were being assisted by the Ethiopian Government and the international community.

4. In the Somali Republic itself, civil war had led to large influxes of refugees into Kenya and Ethiopia. He hoped that current efforts being made by OAU, the United Nations and the Organization of the Islamic Conference, as well as by countries of the subregion, to find a durable solution to the problem would bear fruit. Where assistance to victims in Somalia was concerned, experience had shown that large sums had to be spent on ensuring the security and proper administration of relief supplies and he appealed to all African countries in distress which required assistance from UNHCR and the international community to do all they could to enable those costs to be reduced.

5. The civil war in Liberia had caused some 1.2 million people out of a total population of 2.5 million to become refugees in neighbouring countries, or displaced persons in their own country. However, the efforts deployed by countries of the Economic Community of West African States (ECOWAS) to solve the problem gave grounds for hope and deserved international support. Similarly, internal conflicts in Rwanda had led to renewed refugee influxes into Tanzania, Uganda, Zaire and Burundi and had displaced thousands of people within the country. The recently created OAU Neutral Military Observer Group had helped to achieve a cease-fire and to establish security.

6. In the case of Burundi, measures had been taken to facilitate the voluntary repatriation of nationals of that country who had been living in exile as refugees. The Burundi Government had signed an agreement with the Government of Tanzania and with UNHCR to further such repatriation and some persons had already returned.

7. In Angola, the improved situation following the cease-fire between the Government and the UNITA movement had enabled a number of refugees to return and to participate in the multi-party elections which had taken place the previous month. In Mozambique, however, despite efforts by the Government to reach an agreement with RENAMO, acts of violence against innocent people had continued, resulting in the exodus of large numbers of refugees, particularly to Malawi.

8. While African Governments were committed to the eradication of the refugee problem on the continent, a partnership would have to be forged between them and the international community if the humanitarian challenge presented by refugees was to be met. OAU continued to urge the international community to show the necessary political will and to respond more forcefully to the needs and aspiration of Africa's uprooted communities. The mandate of the High Commissioner should be broadened to include cross-mandate, cross-border assistance to all needy persons in the same community, such as was planned in the Horn of Africa along the borders of Ethiopia, Kenya, Somalia and Sudan.

9. He noted with gratitude that OAU's funding was now coming from more diversified sources, especially from the private sector in Japan. He urged UNHCR to tap private sector sources in OAU member countries through more active collaboration with organizations such as the African Development BanK (ADB). In conclusion, he appealed to all OAU members States which had made pledges to UNHCR to fulfil and sustain those pledges.

10. Mr. VILLARROEL (Philippines) said that, as had been pointed out by the High Commissioner, South-East Asia had been a testing ground for innovative measures for dealing with the unprecedented challenges facing UNHCR. As a first asylum country, the Philippines had been particularly struck by the statement in paragraph 17 of the Note on International Protection (A/AC.96/799) that the problem of protection became more complicated where persons within the Office's competence were indistinguishable from other needy groups. It was further stated that, in the case of persons whose claims to refugee status had been rejected by the competent authorities and who were deemed not to fail within the Office's competence, UNHCR could, exceptionally, play a limited supportive role to facilitate return. He would appreciate clarification as to whether such a policy would mean a further reduction of UNHCR activities for persons considered as non-refugees in first asylum countries.

11. While it was true that over 30,000 Vietnamese had now returned home voluntarily within the framework of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA), many still remained in first asylum countries and he agreed with the representative of Thailand that more needed to be done to help such countries deal with the undesirable problem of stranded non-refugees.

12. He welcomed the statement by the High Commissioner that the new thrust described in the Note on International Protection (A/AC.96/799) would not involve any redefinition of UNHCR's mandate. The mandate should nevertheless be

kept flexible in order to keep pace with rapidly changing circumstances: the Office would often have to perform tasks other than those originally designed for it if it was to respond to emergency situations.

13. He also endorsed the Working Group's findings regarding the need for greater inter-agency cooperation in such areas as human rights monitoring, peace-keeping activities, development assistance and orderly migration and agreed that the Office should seek specific endorsement from the United Nations Secretary-General or the General Assembly to act as needs arose. In particular, there should be closer cooperation in actions involving refugee women and children, as well as those involving refugees and the environment.

14. On funding, he noted with satisfaction that donor response so far had been generous and he hoped that that would continue to be the case in the coming year. He shared UNHCR's serious concern over staff security and paid tribute to staff who were working in the field in extremely difficult circumstances. Within UNHCR itself, he was convinced that better geographical and gender balance among staff would ensure greater flexibility in effectively meeting new challenges.

15. He expressed full support for the High Commissioner's strategy and assured UNHCR of his Government's continued collaboration in the pursuit of its humanitarian objectives.

16. Mr. MORVAY (Hungary) said that he agreed with the concept of preventive diplomacy as outlined by the High Commissioner in her introductory statement. He shared the view of the Working Group on International Protection that UNHCR should continue to play a preventive role by taking initiatives to promote humanitarian actions, as well as by supporting international peacemaking and peace-keeping processes. His Government supported the High Commissioner's efforts to create effective mechanisms for the preventive protection of refugees; such efforts which were now bearing fruit in Croatia.

17. The recent increase in numbers of refugees in many parts of the world had challenged not only the international community's ability to achieve regional and global security, but also UNHCR's capacity to respond quickly and effectively. The brutal conflict in the former Yugoslavia, involving grave human rights abuses, had produced the largest number of refugees and displaced persons since the end of the Second World War.

18. The Hungarian people were deeply concerned at the situation of the Hungarian minority in Serbian Voivodina and other areas under Serbian control. The policy of settling thousands of Serbian refugees on territories inhabited by ethnic Hungarians and others, thus changing by force the ethnic composition of whole areas, could have fatal consequences and called for an immediate response. Attempts to create so-called "ethnically pure" States had more than once in history resulted in crimes against humanity.

19. His country had taken in some 50,000 refugees, chiefly from Romania, between 1988 and 1990 and, in addition, was now giving temporary protection to some 80,000 persons from the former Yugoslavia. So far, some 60,000 persons, including 35,000 Croats, 20,000 ethnic Hungarians and 5,500 Bosnians, had been accommodated in temporary shelters or in the homes of Hungarian families, while about 12,500 had been settled in refugee camps. That represented a considerable

burden, particularly in view of the fact that the longer the refugees stayed in Hungary, the less likely it became that they would ever be able to return to their homes. There was an urgent need to enlarge the capacity of reception centres. Hungary had already had to cope with the heavy burden of the transition to political democracy and to a market economy and believed that the additional burden of sheltering refugees should be shared with other, more developed States with sound economies. His Government was nevertheless determined to fulfil its international obligations under the 1951 Convention relating to the Status of Refugees, and the 1967 Protocol relating to the Status of Refugees.

20. As the war in Yugoslavia continued, UNHCR was playing an important stabilizing role and his Government greatly appreciated its assistance. He was also grateful to donor countries which had given financial support. Hungary was participating in a trilateral initiative with Croatia and UNHCR to prepare for an organized and voluntary repatriation of Croatian refugees currently in Hungary and he hoped that similar cooperation might eventually be established with other independent States of the former Yugoslavia.

21. His Government was currently preparing new legislation on asylum which would be in keeping with its new status as a constitutional democracy. It intended to withdraw Hungary's reservation on territorial restriction made at the time of its accession to the 1951 Convention, but the process was likely to be slow. Hungary needed to exchange experiences with other countries where legislative reform was concerned and would need assistance with training legal staff and he appealed to the international community to provide it with financial support for that purpose.

22. Where the conflict in the former Yugoslavia was concerned, Hungary needed to feel that its burden was shared more equitably and that it could count on the continued help of the rest of the world. Only with further assistance would it be able to pursue a refugee policy based on truly humanitarian principles.

23. He assured the Committee of his Government's continuing support for international efforts to provide relief and assistance to refugees and displaced persons, both in their countries of origin and in receiving countries. Hungary would also be prepared to participate in joint measures to prevent new mass exoduses.

24. Mr. ITHETE (Namibia) said the problem of refugees had afflicted African countries for two decades, but was now of such a magnitude that it was beyond the ability of many of them to tackle. The total number of African refugees now exceeded the population of some African countries. The problem was exacerbated by the worst drought in almost 50 years, especially in the southern part of the continent.

25. There had nevertheless been some encouraging developments, particularly the peace agreement recently signed by the Government of Mozambique and RENAMO and the successful elections held in Angola. Those developments should make it easier for refugees to return and resettle in peace in their countries of origin. The situation in South Africa, on the other hand, was an explosive one and the international community should give all possible support to peaceful negotiations so that a lasting solution could be found.

26. In the Horn of Africa, drought and starvation combined with civil war had destoyed the social fabric of Somalia and the same problems were affecting the peoples of Ethiopia, the Sudan and Mozambique. In West Africa, over 800,000 refugees from Liberia and Sierra Leone were still in need of every assistance the international community could provide.

27. The sufferings of over 2.6 million people in the former Yugoslavia were heartbreaking and international response often seemed painfully slow. He therefore wholeheartedly supported the 6-point strategy outlined by the High Commissioner in her opening statement, particularly with regard to enhancing emergency response and strengthening protection.

28. His Government had introduced procedures designed to create favourable conditions for asylum-seekers and would-be refugees in Namibia as required by United Nations and OAU conventions. In April 1992, it had hosted a successful meeting of the OAU Coordinating Committee on Assistance to Refugees in Africa and it had appointed an adviser on refugee matters who would liaise with UNHCR and other relevant agencies. With assistance from UNHCR, a permanent settlement for refugees had been established at Osire, headed by a resident administrator, and arrangements had been made for the medical care of refugees at two nearby hospitals. He appealed to the international community to help Namibia meet the needs of future asylum-seekers and refugees.

29. He thanked the High Commissioner and her staff for so successfully tackling their enormous task and pledged his Government's support and cooperation in combating the refugee problem.

30. Mrs. SAMOYA (Observer for Burundi) said that she agreed with previous speakers that voluntary repatriation programmes could not succeed without the political will to tackle the causes of refugee flows. Efforts in her own country, from which many had fled following recent events, but which was also a country of asylum, were being concentrated on the consolidation of national unity, the democratization of political life and respect for human rights. A charter of national unity adopted by referendum offered sound prospects of lasting peace and security for all citizens. A national commission had been set up to organize the return, reception and reintegration of Burundi refugees. A new constitution adopted some six months previously provided a firm basis for the democratization of the country's political life and elections were scheduled for March 1993. In addition to ratifying a number of international instruments based on respect for human rights, including the 1967 Protocol relating to the Status of Refugees, her Government had recently set up a human rights centre and had repealed emergency measures introduced during the recent period of ethnic unrest.

31. Since the establishment of the national commission for refugees, 29,000 refugees out of the approximately 200,000 who had fled as a result of the events of April 1992 had been voluntarily repatriated, as had 49,500 of the 50,000 displaced following unrest in the north of the country in August 1988 and 35,000 out of the 40,000 displaced by the events of November 1991. The tripartite agreement on Burundi refugees living in Tanzania concluded between the Governments of Burundi and Tanzania and UNHCR was continuing to work well and she thanked the Government of Tanzania for everything it had done and was still doing for the refugees.

32. In extending its thanks to all other countries and organizations which had helped in the repatriation effort, her Government wished to reiterate its appeal for assistance in coping with the countless problems which arose in connection with the implementation of the voluntary repatriation policy. Unfortunately, small hostile groups still operating both inside and outside the country were trying to undermine that policy by preaching ethnic hatred. The international community could rest assured that it was the Burundi population's most ardent wish that all the sons and daughters of the country, wherever they might be and whatever their ethnic origin, should make their contribution to the construction of a united, democratic and economically prosperous Burundi.

33. Mr. KULAWIEC (Observer for the Czech and Slovak Federal Republic) stressed the importance of concentrating on the causes of the refugee problem. Humanitarian steps by the international community should be preceded wherever possible by action at the political, economic and, if necessary, military levels. International pressure for the achievement of a just peace in conflict regions and the restoration of an acceptable standard of human rights in countries of origin was the key to the problem. If political and economic sanctions failed to bring about positive results, particularly in the case of armed conflicts, the international community should press, perhaps even resorting to the use of force, for a speedy cessation of hostilities. The best way of helping potential refugees was to eliminate their need to seek asylum. Effective assistance by advanced countries to poorer States striving for social and economic progress was likewise called for as a means of solving economic problems which were also a source of increased migration.

34. After paying tribute to the work of UNHCR and, in particular, to the cooperation between UNHCR and other structures of the international community both within and outside the United Nations, he called for further efforts to eliminate duplication and to make assistance to refugees and victims of conflicts such as that in the former Yugoslavia more effective. One way of guaranteeing greater effectiveness would be to ensure the broadest possible participation of representatives of Member States of the United Nations in UNHCR's activities. His Government was prepared, within the limits of its possibilities, to assist UNHCR, inter alia, through the participation of Czech and Slovak specialists in the work of expert groups in various parts of the world. It would also welcome intensified exchanges of information with UNHCR concerning legal matters and the situation in countries of origin and asylum, closer cooperation in the preparation and implementation of projects involving care for refugees and medical and technical cooperation and further special courses organized by UNHCR to improve the professional skills of its workers dealing with refugee problems.

35. His Government considered that United Nations bodies - not necessarily UNHCR - should play a more active role in monitoring situations that might result in refugee flows and should take steps to prevent such situations and to coordinate international assistance to refugees and persons in affected regions. For that reason, it supported the idea of setting up an international information and monitoring system. The Yugoslav conflict had revealed the international community's lack of preparedness for solving such crises and had pointed to the need for prevention based on a comprehensive approach to security not limited to military factors alone. Progress in that regard had, in his view, been achieved at the recent Helsinki meeting of the Conference on Security and Cooperation in Europe.

36. The main obstacles to solving the refugee problem were the restrictive asylum policies of some Western countries and the large and growing number of asylum-seekers, many of whom were economic migrants. His Government took the view that reasonable immigration policies with immigration quotas would substantially reduce the number of asylum-seekers and consequently also the pressure on genuine refugees. If a foreigner had no chance of being granted an immigration visa, he was tempted to present himself as a refugee. A new problem had emerged in Africa, where migration often was not the result of political persecution, but of food shortages. The international community should pay greater attention to such migrants, since famine often led to political instability followed by armed conflicts. International cooperation between States was also very important in solving problems of illegal migration. In that context, his Government opposed the attempts of some European States to solve their problems to the detriment of other States. Lastly, he drew attention to the danger of xenophobia and to the need for long-term information and enlightenment programmes for the benefit of the populations of countries of asylum. The psychological effects of concentrating large groups of refugees in one place should not be overlooked, particularly if that place had economic troubles of its own. Persons whose refugee status had been recognized should not create ghettoes in the country of asylum, but should try to become integrated rapidly within their new society.

37. Mr. KOZLOWSKI (Observer for Poland) said that his Government wished to confirm its determination to fulfil its international obligations under the 1951 Convention and the 1967 Protocol. It greatly appreciated the leadership which the High Commissioner had brought to her Office and understood her visit to Poland to be the expression of UNHCR's practical interest in the situation of the countries of central and eastern Europe. The specific situation in the region called for deeper understanding of the problems facing Poland and its neighbours. On the one hand, Poland was under increasing pressure to receive more refugees in order to protect western European countries from the influx of migrants from the east and the south - in other words, to stop being merely a country of transit. On the other hand, the majority of refugees entering Poland still did not regard that country as a country of destination. The phenomenon was not, as it were, one of "refugees from", but one of "refugees to". In that context, he expressed appreciation for the active role of UNHCR representatives in determining refugee status.

38. He fully agreed with the previous speaker's view concerning the broadest participation of representatives of United Nations Member States in UNHCR activities. He did not, however, mean only representatives from the Czech and Slovak Federal Republic, Hungary and Poland. The situation in the countries of the former Soviet Union called for the broader involvement of representatives and experts from those countries in the work of UNHCR. Monitoring the refugee situation in those countries without the presence of representatives from that part of Europe appeared completely useless. In efforts to expand the number of signatories of the 1951 Convention, close cooperation with the new democracies of Eastern Europe was essential.

39. The dramatic developments in the territory of the former Yugoslavia and, in particular, in Bosnia and Herzegovina had given rise to great concern in his country. The policy of ethnic cleansing was unequivocally condemned. The mission of Mr. Mazowiecki, Special Rapporteur of the Commission on Human Rights, to the region had been carefully followed by Polish public opinion. His

Government believed that prompt and accurate implementation of at least some of Mr. Mazowiecki's recommendations would prevent further deterioration of the human rights situation in the former Yugoslavia. The second mission, which was due to start shortly, would represent an important step in the international community's concerted response to the crisis. In that context, he stressed his Government's preparedness to assist war refugees, especially children, from the former Yugoslavia and recalled the official statement on that subject made by the Prime Minister, Mrs. Suchocka. In conclusion, he said that Poland was ready to participate in joint measures to prevent new mass exoduses of refugees.

40. Mr. BALOI (Observer for Mozambique) expressed the gratitude of the people and Government of his country to the peoples and agencies of the United Nations, as well as to the Governments and non-governmental organizations represented in the Executive Committee, for their assistance to Mozambique. Thanks were particularly due to the neighbouring countries which had, despite their own difficult economic circumstances, generously provided refuge to Mozambican citizens. He was honoured to be the first member of his Government to announce, in a forum such as the Executive Committee, the conclusion of a peace agreement after two years of difficult negotiations.

41. While the cease-fire in Mozambique was a cause for hope and rejoicing, it was also a source of uncertainty and apprehension. Under normal conditions, repatriation usually signified a move from difficult circumstances to better ones. The situation in Mozambique was unfortunately an exception to that rule; the refugees would be moving from reasonably good circumstances to more difficult conditions. They would be returning to areas totally devastated by war and by the worst drought in living memory. Fully aware of that reality, his Government had drawn up a strategy for national reconstruction consisting of an emergency phase a reconstruction phase and a development phase. To speak of a development plan in Mozambique was not possible at present because of the millions of internally and externally displaced persons. Special emphasis was therefore being placed on the emergency phase of the strategy, which covered activities aimed at resettling and stabilizing the displaced and returnee populations, as well as demobilized military personnel.

42. With the direct involvement of provincial and district authorities in refugee settlement areas in neighbouring countries, his Government had undertaken a survey of basic requirements for the first phase of national reconstruction, particularly the identification of sites for reception and transit centres, resettlement areas coinciding with the refugees' home areas and sites for the construction and rehabilitation of wells and water supply boreholes, as well as for the construction of schools and clinics. The plan was also concerned with questions of land distribution and the supply of seeds and tools. Work had begun before the cease-fire and the main emphasis at that time had been on areas from which most of the refugee population, particularly in Malawi, originated. Unfortunately, security conditions had been very poor and only a little of the preparatory work had been completed.

43. Unless immediate action was taken to speed up the repatriation process, including the establishment of basic conditions for the reception and resettlement of the refugees, there was a danger of a large-scale human disaster. Expecting many refugees to remain in the camps even after the cease-fire came into force in order to see how the situation inside Mozambique developed before deciding whether to return home was, in his view, not only

unrealistic, but also dangerous, since it could lead to failure to take urgent action on the ground. It was far more likely that the refugees would return spontaneously as soon as they felt that the security situation was no longer a cause for concern. The very first meeting between the President of Mozambique and the leader of RENAMO had been followed by the spontaneous return of 14,000 refugees in the province of Tete alone. In order to avoid the worst, the Norwegian Council for Refugees was currently sponsoring teams to work in refugee camps in Malawi and Zimbabwe with a view to promoting organized return.

44. His Government was eager to know what part UNHCR proposed to play, particularly in the decisive phase of national reconstruction. The repatriation exercise had to include concrete action to guarantee the safety and dignity of returnees. The country today was devastated. Millions of persons had been displaced or had become refugees. There would be thousands of men trained only to make war whose lives would have to be directed towards activities aimed at rebuilding the country if the peace agreement was not to crumble completely. Mozambique lacked the resources to carry out that task on its own and would continue to rely on the international community for support and assistance. His Government pledged itself to employ the same vigour, dedication and commitment in struggling for the peaceful reconstruction and reconciliation of the whole Mozambican nation as those with which it had pursued the goal of achieving peace agreement.

45. Mr. BAKHMIN (Observer for the Russian Federation) said that the collapse of centralized State structures in the former Soviet Union had been accompanied by long-term armed conflicts which affected the interests of many States. Even more serious was the suffering of large groups of people and entire nations, including some in Europe, which had seemed safe from large-scale social disasters. As a leading universal humanitarian organization, UNHCR bore the burden of alleviating the consequences of social conflicts in Europe, the Middle East, Africa and elsewhere. His delegation welcomed the High Commissioner's efforts in dealing with such situations and in seeking at strategic solutions to the problems arising from mass refugee flows. The Russian Federation was doing its best to help, despite its own economic and social hardships: 200 children from the zone of fighting in the former Yugoslavia had been accepted, Russian aircraft were being used for evacuating refugees and transporting supplies and a new humanitarian convoy was being formed on Russian territory.

46. The Russian Federation itself had not been spared tragic events. It had accepted about 1 million people, many of them children and disabled, forced to leave their homes for various reasons, including armed conflict in Armenia, Azerbaijan, Tajikistan, Uzbekistan, Moldova and other republics of the former Soviet Union. Some 30,000 persons were entering the central and southern regions of the country each month and the situation was worsening. Facilities to deal with them barely existed; a centralized federal-level migration service had been formed only two months previously, by presidential decree, to define the status and safeguards for refugees and the displaced persons. Further measures, both of an emergency and a long-term nature, were being prepared, the main projects being in the Krasnodar and Stavropol regions of central Russia. For the second half of 1992, the Government had allocated some 3 billion roubles to that end. Programme implementation was complicated by the lack of a legal

basis but two bills, drafted with UNHCR participation and international expert appraisal, had been adopted on first reading by the Supreme Soviet to deal with status and guarantees for refugees and displaced persons.

47. The situation in Russia was unique. There were the well-known problems of local prejudice, finance, administration, accommodation, food and medicine, but the very nature and scale of the problems would require solutions not typical of the everyday practice of international humanitarian organizations. His country would have great difficulty in tackling the problems alone and would be grateful to all countries and organizations for any contribution, possibly including an evaluation mission.

48. Although cases of asylum-seekers might seem less important, the number had grown in his country during the past year, when asylum had been requested, through diplomatic channels, by 450 Iraqis, 520 Ethiopians, 230 Somalis and other nationalities. In addition, the number of Afghan refugees had been calculated at some 20,000. Although national legislation to judge the status of such persons was still being drafted, there was reason to regard their situation as relevant to UNHCR in accordance with the 1951 Convention and the 1967 Protocol, as well as the High Commissioner's relevant decisions.

49. The problems in territories of the former Soviet Union were liable to cause further migration flows towards the countries of traditional asylum in Europe, with the risk of heightening social tensions and complicating the task of political stabilization there. Although Russia had great potential resources, the scope of the current problems surpassed national and regional limits. The Russian Federation would continue, however, to observe the principles of international humanitarian cooperation and was about to accede to the 1951 Convention and the 1967 Protocol; it had also decided to establish a UNHCR Bureau in Moscow.

50. His delegation reiterated its appreciation of the High Commissioner's work and the role of UNHCR and hoped that the requests he had made would be considered with understanding.

51. Mr. NDISALE (Observer for Malawi) said that the High Commissioner's visit to Malawi in February 1992 had attested to her unfailing concern for the plight of refugees in Malawi; she had been able to observe the refugees' situation and the burden on the host country. Malawi could not possibly cope with the refugee problem in its territory without the support of UNHCR and the donor community, for which his delegation expressed its sincere thanks.

52. The events of the past two years, including progress towards a peaceful solution to the civil strife in Mozambique, had aroused hopes that some of the causes of mass exodus might be alleviated. That had generally been the case, but some situations, in Sarajevo and Somalia, for example, had worsened. Indeed, for many refugees in developing countries, no immediate solution was in sight and new mass movements of refugees were occurring, caused chiefly by conflict, poverty and underdevelopment. The search for durable solutions should focus on those problems and on the development needs of countries of origin and asylum countries alike.

53. The refugee problem in Malawi was growing. The number of Mozambican refugees had risen from 960,000 in 1991 to over 1 million in August 1992. The cost burden on the economy had reached a crisis point. Environmental damage and pressure on primary schools, hospitals, roads and water resources had become tremendous. Refugee camps were overflowing and the host areas could not accept more arrivals without crowding out the local population. Moreover, Malawi, like the rest of southern Africa, was suffering from the worst drought in living memory. Nearly 6.1 million Malawians were suffering food shortages owing to crop failure, as well as outbreaks of disease due to lack of safe drinking water. The shortage of medicaments and of money to meet the cost of transporting relief food created further serious problems.

54. He briefly summarized the status of relief requirements, pledges and shortfalls as at 31 September 1992: for maize, the current shortfall was 242,552 mt (US$ 98,626,000); for internal transport requirements, it was US$ 28,300,000; for health and nutrition, US$ 30,900,000; for water supply and rehabilitation of boreholes, US$ 8,400,000. There were also serious shortfalls regarding the storage of relief materials and in supplementary food such as pulses and vegetable oil. More assistance was clearly required, therefore, to meet the needs of the refugees and to fund the recurrent and capital costs of redressing their impact on the economy. He sincerely hoped, therefore, that donors would not only continue, but increase their assistance.

55. In that regard, Malawi wholeheartedly supported the High Commissioner's efforts to promote voluntary repatriation. Malawi had consistently pursued a policy of diplomatic contact between the parties to the conflict in Mozambique and had helped to promote a series of historic meetings between them. The signing of the peace accord would not only improve the prospects for voluntary repatriation, but also, by opening Malawi's shortest route to the sea, facilitate haulage and reduce transport costs, thus easing the pressures on the economy.

56. Although voluntary repatriation was a noble goal, experience had shown that proper conditions were essential. As reported to the Executive Committee at its forty-second session, Malawi, as a member of the Tripartite Commission on Voluntary Repatriation, had carried out voluntary exercises and some refugees had registered to return. The Tripartite Commission had identified some safe havens for that purpose; such havens had, however, been devastated by war and lacked the requisite basic infrastructure to support continued voluntary repatriation. Although the Tripartite Commission had agreed that voluntary repatriation, suspended in April 1992, should be resumed in May, no repatriation had been carried out. In fact, due to renewed factional fighting, 52,000 new refugees had entered Malawi during the past three months. Malawi had no additional resources to deal with them and appealed to the donor community to help prevent a serious crisis.

57. His Government actively cooperated with the international community in seeking a durable solution to the refugee problem and, in June 1992, had hosted an international conference on first asylum country and development aid. The conference had recommended, inter alia, provision by the donor community of more development and humanitarian assistance; steps to ensure the safety and dignity

of returnees; and adequate donor support for voluntary repatriation. In that connection, he welcomed the High Commissioner's personal commitment in acting as a catalyst for cooperation with the donor community with a view to further funding.

58. His Government remained firmly committed to helping refugees, but Malawi could not go on absorbing the hidden costs and sacrifices of hosting disproportionately large numbers indefinitely. Every opportunity should be seized to enable Mozambican refugees in Malawi to be repatriated. His delegation, while sincerely thanking UNHCR and the donor community for their continued support, stressed the need for more funds to meet the emergency needs of the growing refugee population and to redress the adverse impact on the economy. Infrastructure rehabilitation and the provision of basic amenities were crucial to the feasibility of voluntary repatriation and a durable solution to the problem.

59. Mr. VAERNO (Norway) said that the Executive Committee was currently meeting at a time of unprecedented demands on the Office of the High Commissioner. The hopes and expectations of the post cold war era had been overshadowed by new emergencies characterized by ethnic strife and the breakdown of civic society, causing new flows of refugees and further internal displacements. In many instances, protection and assistance had been seriously impaired due to the high degree of violence. Such new and complex challenges called for an effective response by the United Nations system, to which the world was looking increasingly. Available resources were limited, although some countries, firmly committed to the principle of burden-sharing, had maintained high contributions to UNHCR.

60. A new partnership, the need for which the High Commissioner had underlined, should be a key to the strategy of the United Nations and the world community in meeting new demands more effectively. Humanitarian action alone, however, could not solve the underlying problems, which required political action. UNHCR had provided a valuable input to the United Nations system's overall efforts in response to humanitarian emergencies; the world at large recognized the devotion and the practical approach of the High Commissioner and her staff in meeting the new challenges.

61. The strategy set out by the High Commissioner in 1991 represented an increasingly pertinent framework for international action, with its emphasis on enhanced emergency response, intensified pursuit of durable solutions and preventive measures. Norway supported the three-pronged policy and the efforts to act as a catalyst vis-à-vis other parts of the United Nations system and partners outside.

62. The emergency response and preparedness mechanisms recommended by the Executive Committee at its forty-second session had proved necessary. It was hoped that the difficulties involved in fully utilizing internal emergency preparedness and staffing could be resolved; but the magnitude of emergency operations meant that UNHCR should seek, more than ever, external resources for standby arrangements. Although his delegation did not wish to undermine the work of UNHCR staff, it recommended that the personnel secondment arrangements established through agreements with the Norwegian and Danish Refugee Councils should serve as models, given the clear need to supplement and support permanent staff at the operational level.

63. Norway welcomed the close working relations between the newly established Department of Humanitarian Affairs and UNHCR. The institutionalization of consolidated United Nations appeals had become an initial important measure for dealing with complex emergencies such those in the Horn of Africa and Somalia, the drought in southern Africa and the tragedy in the former Yugoslavia, as well as for large-scale repatriation operations such as those in Cambodia and Afghanistan. To achieve the system's full potential, however, roles must be more clearly identified and lead agencies established. The division of roles between the Department of Humanitarian Affairs, on the one hand, and UNHCR, UNICEF, WFP and other parties, on the other, also had to be defined. Likewise, the potential contribution of non-governmental organizations should be taken into account in operational and standby plans.

64. The search for durable solutions to refugee problems was at the heart of UNHCR's mandate. The world community must seize opportunities for large-scale repatriation; UNHCR could play a leading role in mobilizing international efforts and ensuring safe return through access and monitoring. Norway strongly supported a general allocation for repatriation within the proposed General Programme for 1993. The complexities arising from the lack of infrastructure, the gap between relief and development and the need for protection after long conflicts called for comprehensive approaches. A further impediment was the problem of removing mines, for which task institutional responsibility regrettably remained unclarified.

65. Innovative concepts such as Quick Impact Projects were valuable and UNHCR was urged to develop specific models based on the continuum from relief to development. His delegation looked forward to following up those matters in UNDP and the Economic and Social Council and hoped that the High Commissioner would keep the Executive Committee informed about the implementation of common guidelines on refugee aid and development, approved by ACC earlier in the year.

66. With regard to repatriation of Mozambican refugees, UNHCR had undertaken important work in preparing a "package" programme which urgently required the support of the United Nations and the Governments. His Government, which had taken an active part, together with UNHCR, other United Nation agencies, the Mozambican Government and non-governmental organizations, in preparing a regional plan, viewed with satisfaction the signing of the peace accord and had noted the statement by the observer for Mozambique at the current meeting.

67. Protection remained a fundamental part of UNHCR's mandate. Protection functions were covered by a complex legal framework including the 1951 Convention and the 1967 Protocol, supplemented by regional arrangements such as the Cartagena Declaration on Refugees and the OAU Convention. Refugee law must, however, be complemented by humanitarian law and human rights; and international action should be based on coherent national policies and the international principles of burden-sharing and solidarity. Refugee work should be more closely linked with United Nations efforts relating to peace, human rights, development and a better environment, focusing not merely on symptoms, but also on root causes.

68. Refugees currently constituted only part of the movement of persons seeking asylum. Pressure on asylum procedures had complicated the situation for host countries and for persons fleeing their country owing to strife, persecution and other human rights violations.

69. Norway reiterated its concern for the internally displaced and urged UNHCR, when called upon to do so, to continue to assist and protect them. Strong international safeguards, by means of agreed legal provisions, were required; current work in the Commission on Human Rights and the outcome of the World Conference on Human Rights would be of great importance in that regard.

70. His delegation commended UNHCR on the work of the Working Group on International Protection. The Note on international protection (A/AC.96/799) placed a welcome emphasis on State responsibility, prevention - including in-country protection - and temporary protection. The notion of the latter was important with a view to integrating developments in the international political arena with UNHCR's own endeavours. Norway looked forward to taking part in further deliberations on that and related matters raised in the Note, with a view to reinforcing the High Commissioner's strategy within the mandate and competence of the Office.

71. He reiterated Norway's support for the High Commissioner's firm action with regard to the former Yugoslavia and welcomed the way in which she was bringing together the process of follow-up to the International Meeting on Humanitarian Aid for Victims of the Conflict in the Former Yugoslavia and the London International Conference on Former Yugoslovia. Norway would continue to give strong support to UNHCR's humanitarian work in general and to its role as a lead agency in the former Yugoslavia in particular; it had noted the High Commissioner's special appeal, made the previous day, for temporary safe haven for former detainees from that region and his Government had decided to take its share of that urgent caseload.

72. Mr. AL-KADHI (Observer for Iraq) said that the current session of the Executive Committee was being held at a time when ethnic strife and armed conflict had taken the world to the edge of an uncertain future, marked, despite the end of the ideological conflict, by persistent instability. Ethnic strife had led to huge exoduses of refugees, as evidenced by the case of the former Yugoslavia, and UNHCR now had to face new duties and burdens. The development of emergency plans to deal with sudden displacements of refugees was a necessity if UNHCR was to play its role properly.

73. His delegation viewed positively the efforts of the High Commissioner and hoped that her constructive proposals would be translated into action, a task which would require strengthened cooperation from all parties concerned. It also stressed the importance of dealing with the root causes of population displacements without consideration for political and propaganda motives and of removing the obstacles to the performance of UNHCR's task.

74. At the International Meeting on Humanitarian Aid for Victims of the Conflict in the Former Yugoslavia, held in July 1992, the High Commissioner had referred to the great suffering that economic sanctions could cause if they applied to food and drugs. That consideration was particularly relevant to Iraq. The Western countries had refused to exclude food and drugs from the

economic embargo imposed on Iraq and to release funds for the purchase of food and drugs and had frozen assets which Iraq had placed in Western banks to provide for food and drug purchases. Through its Executive Committee, UNHCR should explicitly call for an end to the embargo in order to alleviate the suffering in Iraq to which reference had been made in many independent reports.

75. There was no longer any legal justification for the embargo, whose obvious and avowed purpose was to change the political regime in Iraq. He called on the Executive Committee to take a clear stance on the embargo, which was the direct cause of the suffering of the Iraqi people. Iraq did not need any gifts and, in other circumstances, could itself provide humanitarian assistance for other States, as it had done in the past. The Minister for Foreign Affairs of Iraq had stated in the General Assembly that Iraq was prepared to export $4 billion worth of petrol and to earmark 5 per cent of the earnings to providing relief in Somalia, Bosnia and Herzegovina and Palestine.

76. When the United Nations had initiated humanitarian relief operations, with limited resources, in April 1991 its aim had been to alleviate the sufferings caused by the Gulf war. The intent of the hostile Powers was to exploit the situation in order to interfere in Iraq's domestic affairs and that aim took precedence over humanitarian objectives.

77. His delegation had listened with interest to the comments made by the United Kingdom delegation on behalf of the European Economic Community concerning the situation in northern Iraq. The logic followed by the United Kingdom delegation was in keeping with the Western countries' negative policy towards Iraq. The international community was aware that northern Iraq was outside Iraqi control and under the authority of the Western Powers, which should bear responsibility for the sitation there. Attention had also been drawn to the precarious situation in southern Iraq, but, in fact, the situation in all of Iraq was difficult because of the embargo. Although the Government of Iraq was sparing no effort to ease the suffering, the lifting of the economic embargo would solve the Iraqi people's problems and Iraq would no longer need aid. The rules of international humanitarian law had been totally disregarded in Iraq by a few powers which had forced the international community as a whole to assume responsiblity for solving the problems they alone had created.

78. UNHCR had decided to reduce its activity in Iraq and gradually to transfer responsibility to other agencies. However, it still had a role to play in facilitating the return of refugees from neighbouring States. In the past, Iraq had cooperated with all humanitarian agencies and non-governmental organizations and, in particular, with UNHCR and ICRC. It was prepared to continue cooperating with UNHCR to achieve its humanitarian objectives free from interference in its internal affairs and sovereignty.

79. Mr. de SA BARBUDA (Brazil) said that the extensive documentation provided to the Executive Committee and, in particular, the Note on International Protection (A/AC.96/799) would serve as a sound basis for discussion at the current session. Brazil shared the concerns expressed by the High Commissioner about the trends emerging in the post-cold-war period, when the signs of the establishment of a new atmosphere of peace, security and cooperation were being accompanied by destabilizing factors in different parts of the world.

80. Political instability, violence, ethnic separatism and internal armed conflicts added a high degree of complexity to the refugee situation and, together with economic recession, which widened the gap between developing and developed nations, contributed to increasing not only refugee flows, but also overpopulation, extreme poverty and human rights violations, all of which represented new challenges to be tackled by UNHCR.

81. The Overview of UNHCR Activities for 1991-1992 (A/AC.96/798) gave clear examples of the worldwide plight of refugees. The magnitude and scope of the refugee problems in Somalia and in the former Yugoslavia justified the deepest concern and renewed efforts, although they were unfortunately not the sole humanitarian emergencies requiring an immediate response by the international community and UNHCR. Part II of the Overview covered a wide range of situations where the High Commissioner had a key role to play in protecting refugees and searching for durable solutions.

82. Brazil took note with appreciation of the widely recognized understanding that UNHCR's competence extended to persons who were forced to leave their countries and who might not be covered by the 1951 Convention or the 1967 Protocol. In its view, UNHCR's expertise should extend to internally displaced persons, whenever deemed appropriate by the international community, and the relevant provisions of the Cartagena Declaration on Refugees could offer useful guidance in that regard. The right to asylum was a fundamental principle of refugee protection and UNHCR should continue to promote expeditious refugee status determination on an individual basis, although, in mass-influx situations where the provisions of the 1951 Convention and the 1967 Protocol seemed unworkable, the determination could be made on a group basis. Large-scale displacements and protracted refugee situations could compound socio-economic difficulties in countries of asylum, but every refugee or asylum-seeker should be guaranteed non-discrimination and the right to basic standards of humane treatment.

83. Among the various approaches pursued by UNHCR for groups which were not covered by the Convention and the Protocol, the concept of temporary protection had been suggested as a possible alternative to the right of asylum in mass-influx situations. Since asylum itself was considered a temporary solution, pending resolution of the circumstances that had given rise to refugee status, it would be necessary further to clarify the objectives and conceptual elements of temporary protection, which was sometimes being linked to the concept of safe return. Before implementing any form of compulsory return, objective criteria would have to be defined to determine whether security concerns had been fully met and further caution would be necessary in dealing with cessation clauses to ensure that refugees were not forced to return to unsafe countries or prevented from staying in the country of asylum if they had social and economic links there.

84. Clearly, the emerging safe-country concept would be largely detrimental to the refugees concerned and it was preferable to encourage voluntary repatriation as the best durable solution. In Central America, as a result of the successful repatriation programme implemented within the framework of CIREFCA, returnees currently outnumbered refugees.

85. Another issue dealt with in the Note on International Protection was prevention, which could include early warning, preventive diplomacy, human rights promotion and social and economic development. His delegation supported the idea of developing such positive approaches and reminded the Executive Committee that most refugee displacements originated in developing countries whose economies were hard hit by recession. In addition, most migratory movements were towards other developing countries which were barely able to receive them without international solidarity and burden-sharing. If the interrelationship between development, migration, refugee flows and environment were taken as a whole, development seemed to be the best preventive measure against mass-influx situations.

86. Preventive diplomacy could also play an important role in UNHCR's future strategies to promote humanitarian relief and to support the Secretary-General's peacemaking and peace-keeping activities. As refugee flows were frequently caused by widespread human rights violations, he advocated cooperation between UNHCR and the Centre for Human Rights to allow the former to improve its early warning capacity by access to relevant data from the United Nations human rights machinery. He endorsed the High Commissioner's warning about the need to approach with caution the question of safety zones within countries of origin and emphasized that the decision to create such safety zones should be taken by the international community in the most democratic way, for example, by the General Assembly itself. Lastly, he hoped that the Executive Committee would achieve a consensus on those important issues in order to improve and better coordinate UNHCR's response to the needs of the world's 17 million refugees, 80 per cent of whom were women and children whose need for further protection had been recognized in the wise decision to appoint Senior Coordinators for them.

87. Mr. DEMEKSA (Ethiopia) said that, during the year since the forty-second session of the Executive Committee, highly significant political developments in Ethiopia had led to the consolidation of the foundations for peace, democracy and progress. A healthy, multi-party political atmosphere had emerged, local elections had just been completed, the groundwork was under way for multi-party democracy to take deeper and firmer roots and the country enjoyed greater stability than ever before. The Transitional Government had adopted a new policy of liberalization aimed at increasing privatization, developing a market economy and offering attractive incentives to domestic and external investors.

88. However, those encouraging developments had been considerably overshadowed by the onset and spread of recurrent drought and famine which had left no less than 8 million persons almost totally dependent on relief assistance. The numbers were increased by the thousands of persons displaced by localized conflict and by the considerable caseload of families of demobilized soldiers. In addition, Ethiopia was hosting over half a million Somali refugees and some 17,000 Sudanese, along with smaller caseloads of refugees from other neighbouring and distant African countries. The situation had been further complicated by the return of some 450,000 persons into the Borena and Ogaden regions as a result of the intensification of the civil war in Somalia in early 1991.

89. The situation had required extensive and tireless efforts by the Government, United Nations agencies and non-governmental organizations. The Government's Relief and Rehabilitation Commission had done valuable work in mobilizing and administering relief assistance to the drought-affected and locally displaced populations. Refugees had been receiving care and maintenance assistance under the auspices of UNHCR and it had been possible to distribute some food to the returnees from Somalia and provide them with cash travel grants for transportation to their respective areas of reintegration.

90. Understandably, both emergency and reintegration assistance packages had been inadequate in terms of quality and quantity as a result, in particular, of the lack of resources. All in all, it had not been possible to achieve even a reasonable degree of equity between assistance requirements and the assistance provided.

91. A consensus, had developed between the Government, the relevant United Nations agencies and participating non-governmental organizations to implement a cross-mandate operation in which they would pool their resources to provide community-based assistance to all needy populations without discrimination. Several months had elapsed since the operation had been launched on an ad hoc basis in the Borena and Ogaden regions, where the situation had been most critical. Unfortunately, not all the agencies involved in the implementation of the operation had so far come up with satisfactory tangible contributions in any way comparable to that of UNHCR, whose practical commitment was commendable. The operation was still in the experimental stage and obviously called for a very high degree of coordination and the maintenance of tight linkage between relief and rehabilitation if it was to have lasting significance.

92. Careful consideration of the circumstances surrounding the situation of Somali refugees revealed that a far greater number of them had entered Ethiopia than was officially acknowledged. Even though the Somali refugees in Ethiopia remained unaccounted for officially, they were currently living throughout the country. An operation had been instituted recently, in collaboration with the UNHCR Regional Liaison Office, to register and screen those refugees and to persuade them to go to camps where they could receive assistance and residence or transit permits when appropriate. He stressed his country's determination that registration would be done in a way that safeguarded the refugees' dignity and would ultimately be for their maximum benefit.

93. The situation of the refugees and returnees as a whole was indeed sordid because the lack of basic amenities such as shelter, clothing and clean drinking water made it difficult to maintain even a minimally acceptable level of sustenance for them. As was to be expected, the impact of the refugee burden was deeply felt in Ethiopia; despite assistance from the international donor community, the burden had become too heavy and required undivided attention and concrete support from donor Governments and international development agencies. It was his Government's confirmed opinion that assistance to refugees and returnees should maintain a close linkage between relief and recovery if it was to be meaningful. The 450,000 Ethiopian refugees who had returned from Somalia

had arrived with few or no possessions and in conditions of extreme poverty in peripheral regions which lacked even the most basic infrastructure facilities and resources. Their situation had rapidly evolved into an emergency that had not yet been fully contained. The mobilization and provision of meaningful rehabilitation assistance to returnees in Ethiopia was a matter of the utmost practical urgency. In addition, Ethiopia expected to receive a further 160,000 Ethiopian refugees from the Sudan in the very near future. A reconnaissance visit had already been made by a multi-agency mission to assess the situation in the expected areas of reintegration and preliminary talks had been initiated with UNHCR in Khartoum and with the Sudanese authorities to facilitate the repatriation scheme, which was due to start in January 1993.

94. The task of ensuring the effective reintegration and rehabilitation of returnees was a formidable and complex one requiring significant resources which were beyond the means of any single international or national agency. The problem as a whole called for a concerted multi-party and multi-disciplinary approach involving specialized agencies in the United Nations family, sectoral ministries of the Government, intergovernmental organizations and non-governmental organizations, with a redefinition of roles that stressed systematic transition from relief - currently required by no less than 10 million persons in Ethiopia - to development.

95. He thanked UNHCR, donor Governments, intergovernmental organizations and non-governmental organizations for the assistance they had provided and expressed his delegation's hope and firm conviction that UNHCR and the international donor community at large would revitalize their assistance to promote universally recognized humanitarian objectives.

The meeting rose at 6.15 p.m.